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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/733,569	12/12/2003	Choong-Jac Lee	P-0586	1640

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EXAMINER

HAROON, ADEEL

ART UNIT	PAPER NUMBER
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2618

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/733,569

Applicant(s)

LEE, CHOONG-JAE

Examiner

Adeel Haroon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 8-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This Office Action is in response to Amendment filed on date: 11/16/06.

Claims 1-6 and 8-23 are still pending.

Response to Arguments

2. Applicant's arguments filed 11/16/06 have been fully considered but they are not persuasive.

With respect to independent claims 1 and 9, the Applicant argues that Lloyd does not disclose the amended features of the "impact dispensing mechanism comprises a first portion attached to the upper cover and a second portion attached to the lower cover and wherein a predetermined clearance is maintained between the first portion and the second portion prior to an impact being applied to the upper cover". The examiner respectfully disagrees. Elements 32 and 30 of Lloyd are interpreted as the first portion and second portion respectively of the impact dispensing mechanism. Lloyd teaches, "the cover 18 of the case also includes a rigid member 32, encapsulated within the molded cover 18 (upper cover). The member 32 preferably is a sheet or plate of rigid material such as perforated aluminum or rigid plastic. It has relatively high bending

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resistance, so as to receive external impacts applied to the outside of the cover and transfer such loading to the shoulder or edge areas 30 of the computer, rather than to the screen 14" (Column 3, lines 48-56). Also, element 30 is attached to the lower cover as clearly shown in figure 1. Furthermore, figure 3 shows a clearance in between elements 30 and 32 when no impact is applied to the front cover.

With respect to independent claim 18, the Applicant argues that Lloyd does not disclose "a first gap of substantially constant height formed between a lower surface of the at least one first rib and an upper surface of the at least one second rib wherein the second gap of substantially constant height is formed between an upper surface of the display and a lower surface of the first housing, and wherein the height of the second gap is greater than the height of the first gap when the first housing is attached to the second housing". The examiner respectfully disagrees. The first gap in Lloyd is formed between elements 30 and 32 as described in the previous paragraph. The second gap is formed between the display and the upper cover. Lloyd further teaches that the display is a "slightly recessed screen 14" (Column 3, line 44); therefore, the height of the second gap has to be greater than the height of the first gap.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 3-9, 11-18, and 20-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Lloyd (U.S. 5,002,184).

With respect to claim 1, Lloyd discloses a folder type mobile terminal, element number 12, in figure 1 with an upper cover, element number 18, and lower cover, element number 16, wherein the upper cover and lower cover are configured to be attached so as to form a space there between (Column 3, lines 24-27). Lloyd also discloses a display, element number 14, mounted in the space formed between the upper and lower covers (Column 3, lines 18-24). Lloyd further discloses an impact dispersing mechanism formed at edges of the covers to disperse an impact (Column 2, lines 18-27). Moreover, Lloyd teaches a first portion, element number 32, attached to the upper cover and a second portion, element number 30, attached to the lower cover and wherein a predetermined clearance is maintained between the first portion and the second portion prior to an impact being applied to the upper cover (Column 3, lines 48-56).

With respect to claim 3, Lloyd discloses a first rib, element number 26, formed to produce a constant width at an edge of the upper cover (Column 3, lines 41-47). Lloyd also discloses a second rib, element number 30, formed to protrude a constant width at an edge of the lower cover (Column 3, lines 41-47).

With respect to claim 4, Lloyd disclose a guide protrusion formed at both edges of the upper cover, and a guide groove formed at both edges of the lower cover, wherein the guide protrusion and the guide groove are configured to properly align the upper and lower covers when assembled (Column 3, lines 41-47).

With respect to claims 5 and 6, Lloyd discloses that the first and second rib having a constant cross-sectional area and are formed at the edges of the cover (Column 3, lines 41-47).

With respect to claims 7 and 8, Lloyd disclose a constant gap there between the first and second ribs, which is narrower the gap formed between the upper cover and display (Column 3, lines 41-47).

With respect to claim 9, Lloyd discloses a folder type mobile terminal, element number 12, in figure 1 with a first cover, element number 18, and second cover, element number 16, wherein the first cover and second cover are configured to be attached so as to form a space there between (Column 3, lines 24-27). Lloyd also discloses a display, element number 14, mounted in the space formed between the two covers (Column 3, lines 18-24). Lloyd further discloses an impact dispersing mechanism formed at edges of the covers to disperse an impact (Column 2, lines 18-27).

Moreover, Lloyd teaches a first portion, element number 32, attached to the upper cover and a second portion, element number 30, attached to the lower cover and wherein a predetermined clearance is maintained between the first portion and the second portion prior to an impact being applied to the upper cover (Column 3, lines 48-56).

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With respect to claim 11, Lloyd discloses a first rib, element number 26, formed to produce a constant width at an edge of the upper cover (Column 3, lines 41-47).

Lloyd also discloses a second rib, element number 30, formed to protrude a constant width at an edge of the lower cover (Column 3, lines 41-47).

With respect to claim 12, Lloyd disclose guide protrusion formed at an edge of the first cover, and a guide groove configured to correspond to the guide protrusion formed at an edge of the second cover (Column 3, lines 41-47).

With respect to claims 13 and 14, Lloyd disclose a first gap of substantially constant height is formed between the first rib and the second rib when the first cover and the second cover are attached, and wherein a second gap of substantially constant height is formed between an upper surface of the display and a lower surface of the first cover when the first cover and the second cover are attached (Column 3, lines 41-47).

With respect to claims 15 and 16, Lloyd disclose that the height of the first gap is reduced when an external force is applied and the height of the second gap remains greater than the height of the first gap (Column 3, lines 41-47).

With respect to claim 17, Lloyd shows in figure 1 the first and second ribs are formed at the edges of the cover.

With respect to claim 18, Lloyd discloses an impact dispersing device for a mobile terminal in figure 1. Lloyd discloses a first rib, element number 26, formed at an edge of a first housing, element number 18 (Column 3, lines 41-47). Lloyd discloses a second rib, element number 30, formed at an edge of a second housing, wherein the second housing is configured to be attached to the first housing to form a space there

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between (Column 3, lines 24-27). Lloyd also discloses a display, element number 14, mounted in the space formed between the two covers (Column 3, lines 18-24). Lloyd discloses a first gap of substantially constant height formed between a lower surface of the at least one first rib and an upper surface of the at least one second rib wherein the second gap of substantially constant height is formed between an upper surface of the display and a lower surface of the first housing, and wherein the height of the second gap is greater than the height of the first gap when the first housing is attached to the second housing (Column 3, lines 41-58).

With respect to claim 20, Lloyd teaches that the height of the second gap remains greater than the height of the first gap when an external force is applied to the first housing (Column 2, lines 18-27).

With respect to claim 21, Lloyd disclose guide protrusion formed at an edge of the first cover, and a guide groove configured to correspond to the guide protrusion formed at an edge of the second cover Column 3, lines 41-47).

With respect to claim 22, Lloyd shows in figure 1 the first and second rib having a constant cross-sectional area and are formed at the edges of the cover.

With respect to claim 23, Lloyd discloses a folder type mobile terminal (Column 3, lines 24-27).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lloyd in view of Murray et al. (U.S. 6,011,699).

With respect to claims 2 and 10, the mobile terminal of Lloyd is described above in the discussion of claims 1 and 9. Lloyd does not specifically disclose a print circuit board. However, Murray et al. discloses a similar two cover folder type mobile terminal with a display, 346, mounted on a printed circuit board, 316, in the space formed between the two covers (Column 4, lines 36-43). Therefore, it would be obvious to one ordinary skill in the art at the time of the applicant's invention to include a printed circuit board as taught by Murray et al. in the Lloyd mobile terminal in order to provide signals to the display.

7. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lloyd (U.S. 5,002,184).

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With respect to claim 19, the impact dispersing mechanism of Lloyd is described above in the discussion of claim 18. Lloyd discloses a display screen, element number 14, but does not specifically disclose that the display is a LCD. However, the examiner takes Official Notice that LCD's are extremely well known in the art. Therefore, it would be obvious to one of ordinary skill in the art at the time of the applicant's invention to use a LCD in Lloyd's mobile terminal.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adeel Haroon whose telephone number is (571) 272-7405. The examiner can normally be reached on Monday thru Friday, 8:30 a.m. - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AH
1/23/07


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